

EXHIBIT A

Evidence of Copying

Bass Line

Ferrara Transcription

Beat	1	+	2	+	3	+	4	+	1	+	2	+	3	+	4	+
LGIO	D			F#					G			A		A		
TOL	D			F#					G			A		A		

Stewart Comparison

Ferrara March 2015 Report, Pgs. 5-6; Stewart Report December 12, 2018 Report, Pgs. 4-5; Stewart Declaration, September 7, 2018, Pgs. 6-12

Evidence of Copying –bass line

Ferrara transcription (x's are “ghosted” or scratched notes providing rhythm but no pitch)

At 0:00

AB notes
circled in blue
at end of
phrase

Graphic Representation																
Beat	1	+	2	+	3	+	4	+	1	+	2	+	3	+	4	+
LGIO	D				F#				G			A		A	AB	
TOL	D				F#				G			A		A	AB	

“Let’s Get It On”

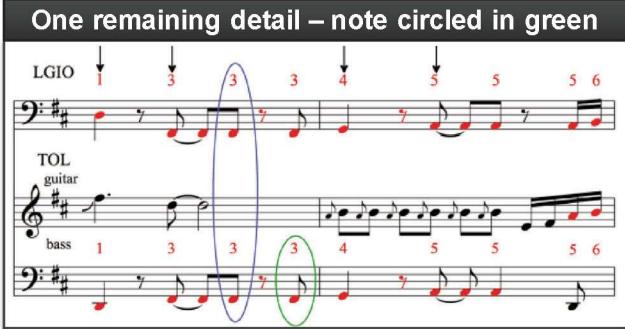
“Thinking Out Loud”

Ferrara March 2015 Report, Pgs. 5-6; Stewart Report December 12, 2018 Report, Pgs. 4-5; Stewart Declaration, September 7, 2018, Pgs. 6-12

Evidence of Copying

Bass Line

One remaining detail – note circled in green



LGIO 1 3 3 4 5 5 6

TOL guitar

bass 1 3 3 4 5 5 6

“Let’s Get It On”



LGIO 1 3 3 3 4 5 5 6

“Thinking Out Loud”



TOL 1 3 3 3 4 5 5 6

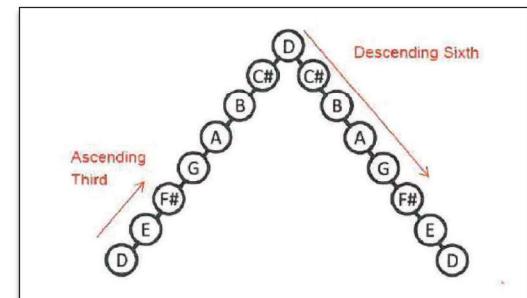
Guitar

Ferrara March 2015 Report, Pgs. 5-6; Stewart Report December 12, 2018 Report, Pgs. 4-5; Stewart Declaration, September 7, 2018, Pgs. 6-12

Evidence of Copying

Bass Line

1. In the “kitchen demo” of TOL, which according to the composer, Mr. Sheeran, is the first recording of TOL, the descending sixth is heard throughout, or 34 times. The ascending third is not heard a single time.
 - The X Acoustic version follows a similar format.
 - As fully explained in my previous report, if Sheeran had wanted an ascending third he could have easily used “drop D” tuning, a form of scordatura (alternate tunings) that has a long history in classical and popular music. Sheeran uses a drop D tuning in “Photograph” see <https://www.youtube.com/watch?v=53uEE1-2CD8>.



The musical score shows two staves. The top staff is labeled 'LGIO' and the bottom staff is labeled 'TOL'. Both staves are in 2/4 time with a key signature of two sharps. The LGIO staff has arrows above the notes indicating a specific performance: a downward arrow over the first note, two downward arrows over the second note, a downward arrow over the third note, a downward arrow over the fourth note, a downward arrow over the fifth note, and a downward arrow over the sixth note. The TOL staff shows the corresponding bass line notes without these specific performance markings.

Ferrara March 2015 Report, Pgs. 5-6; Stewart Report December 12, 2018 Report, Pgs. 4-5; Stewart Declaration, September 7, 2018, Pgs. 6-12; Ex. 125

Evidence of Copying

- The important elements of the drum parts in LGIO and TOL are the same. The bass drum or “kick” is played on “one” with two syncopations or off-beat figures on the “and” of two and the “and” of three, with an accented snare (or backbeat) on two and four yielding the following rhythm: **ONE-and-TWO-AND-three-AND-FOUR-and-ONE-and-TWO-AND-three-AND-FOUR-and.**” The following chart graphically represents the basic drum parts from both songs:
- After the first measure, the hi hat is generally sounded on every eighth-note in LGIO.

		1	+	2	+	3	+	4	+	1	+	2	+	3	+	4	+
		hh	x	x	x	x	x	x	x	hh	x	x	x	x	x	x	0
LGIO	hh									hh							
	sn			x				x		sn			x				x
TOL	bd	x			x		x	x		bd	x		x	x	x	x	x
	hh	x	x	x	x	x	x	x	x	hh	x	x	x	x	x	x	x?
	sn			x				x		sn			x				x
	bd	x			x		x			bd	x		x	x	x	x	

Ferrara January 12, 2018 Report, Pgs. 24-26; Stewart Report December 12, 2018 Report, Pgs. 5-7; Stewart Declaration, September 7, 2018, Pgs. 13-15

Evidence of Copying

		1	+	2	+	3	+	4	+	1	+	2	+	3	+	4	+
LGIO	hh	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	o
	sn				X				X			X					X
	bd	X				X		X	X		X			X		X	X
TOL	hh	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x?
	sn			X					X			X					X
	bd	X				X		X		X			X		X		X

“Let’s Get It On”

LGIO

“Thinking Out Loud”

TOL

Ferrara January 12, 2018 Report, Pgs. 24-26; Stewart Report December 12, 2018 Report, Pgs. 5-7; Stewart Declaration, September 7, 2018, Pgs. 13-15

Evidence of Copying

Bass Line

Additional syncopated note

“Let’s Get It On”



LGIO

Bass clef, 4/4 time, key signature of two sharps. The bass line consists of eighth and sixteenth notes. Red numbers above the notes indicate a specific pattern: 1, 3, 3, 3, 4, 5, 5, 5, 6. The first note is a quarter note (1), followed by a eighth note (3), a sixteenth note (3), another sixteenth note (3), a eighth note (4), a sixteenth note (5), another sixteenth note (5), another sixteenth note (5), and a sixteenth note (6).

“Thinking Out Loud”



TOL

G clef, 4/4 time, key signature of two sharps. The bass line consists of eighth and sixteenth notes. Red numbers above the notes indicate a specific pattern: 1, 3, 3, 4, 5, 5, 5, 6. The first note is a quarter note (1), followed by a eighth note (3), a sixteenth note (3), a eighth note (4), a sixteenth note (5), another sixteenth note (5), another sixteenth note (5), and a sixteenth note (6).

Ferrara March 2015 Report, Pgs. 5-6; Stewart Report December 12, 2018 Report, Pgs. 4-5; Stewart Declaration, September 7, 2018, Pgs. 6-12

Evidence of Copying

Bass Line

Additional syncopated notes in Bass/Guitar Lines (LGO mm 9-10 & TOL mm 3-4, 5-6, also “kitchen” demo

Another important similarity in LGO and TOL is the presence of syncopated notes in the bass melodies in addition to the “3” and “5” which are anticipated with the second and fourth chords. In my report at pgs. 4-5, the reference to important qualities in LGO and TOL included “anticipation of 3 and 5” as well “syncopation” because these are separate creative qualities of the works. In LGO and TOL, the notes circled below are syncopated (off the beat) in addition the anticipated “3” and “5.” Once again the arrows indicate the harmonic rhythm and implied bass line in the deposit copy.

LGO 1 3 3 3 4 5 5 5 6

TOL 1 3 3 4 5 5 5 6

Ferrara March 2015 Report, Pgs. 5-6; Stewart Report December 12, 2018 Report, Pgs. 4-5; Stewart Declaration, September 7, 2018, Pgs. 6-12